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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91211392
Party	Plaintiff Hallmark Licensing, LLC
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Submission	Stipulated/Consent Motion to Extend
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Hallmark Licensing, LLC	)	
Opposer,	)	
	)	
v.	)	<b>Parent Opposition No.: 91211392</b>
	)	Opposition No.: 91215884
Hallmark Industries, Inc.	)	
Applicant.	)	

**HALLMARK LICENSING LLC'S CONSENTED MOTION TO EXTEND TIME**

Pursuant to Rule 6(b) of the Federal Rules of Civil Procedure and TBMP § 509, Opposer Hallmark Licensing, LLC (“Hallmark Licensing”) respectfully moves for an extension of time, and Hallmark Industries, Inc. ("Applicant"), has given its consent to the instant motion.

Hallmark Licensing seeks to extend the following upcoming trial dates:

Plaintiff's 30-day Trial Period Ends	9/27/2016
Defendant's Pretrial Disclosures Due	10/12/2016
Defendant's 30-day Trial Period Ends	11/26/2016
Plaintiff's Rebuttal Disclosures Due	12/11/2016
Plaintiff's 15-day Rebuttal Period Ends	1/10/2017

Hallmark Licensing requests that the aforementioned trial dates each be extended by sixty (60) days as follows:

Plaintiff's 30-day Trial Period Ends	11/26/2016
Defendant's Pretrial Disclosures Due	12/11/2016
Defendant's 30-day Trial Period Ends	1/25/2017
Plaintiff's Rebuttal Disclosures Due	2/9/2017
Plaintiff's 15-day Rebuttal Period Ends	3/10/2017

None of the aforementioned trial periods have closed. Pursuant to TBMP §§ 509.01, a party seeking to "extend a period which has not yet closed...need only show good cause for the

requested extension." *Id.* "A motion to extend must set forth with particularity the facts said to constitute good cause for the requested extension; mere conclusory allegations lacking in factual detail are not sufficient." TBMP § 509.01(a). "Moreover, a party moving to extend time must demonstrate that the requested extension of time is not necessitated by the party's own lack of diligence or unreasonable delay in taking the required action during the time previously allotted therefor." *Id.*

"If a motion to extend...is made with the consent of the nonmoving party, the motion may be filed...as a consented motion in which the moving party states that the nonmoving party has given its consent thereto." TBMP § 509.02. "Ordinarily, a consented motion to extend...will be granted by the Board." *Id.*

Good cause exists to extend the aforementioned trial dates. Counsel for Applicant has recently advised that the primary corporate representative and only employee of Applicant, Pradip Jain, is sadly dealing with a recent death in the family. As a result, Mr. Jain is travelling internationally and will be unable to review the records of Applicant and produce additional documents (the extent they exist) as contemplated in the recent deposition of Mr. Jain, and otherwise respond to outstanding discovery requests, prior to the beginning of Hallmark Licensing's 30-day trial period. Accordingly, the parties have agreed to extend the upcoming trial dates by sixty (60) days to afford Mr. Jain ample time within which to review the relevant records of Applicant and produce any responsive documents or otherwise provide any responsive information.

Wherefore, based upon the foregoing, Hallmark Licensing respectfully requests the entry of an Order Extending Time as set forth above.

Respectfully submitted,



By: \_\_\_\_\_  
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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing Consented Motion to Extend Time was served on August 19, 2016 to counsel for Applicant as follows:

Matthew H. Swyers, Esq.  
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via electronic mail as expressly authorized

/s/ Timothy J. Feathers  
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